

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

BANK OF AMERICA, N.A., successor in  
interest to MERRILL LYNCH CREDIT  
CORPORATION, by and through its  
servicer and attorney-in-fact PHH  
MORTGAGE CORPORATION,

Plaintiff,

v.

KIRBY WESTHEIMER,

Defendant.

Civ. No. 12-7080 (AET) (LHG)

**ORDER**

RECEIVED

SEP 21 2015

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

THOMPSON, U.S.D.J.

For the reasons stated in the Opinion issued this same day;

IT IS, on this 21<sup>st</sup> day of September, 2015

ORDERED that Defendant Kirby Westheimer's Motion to Vacate this court's Order  
dismissing Defendant's counterclaims and granting summary judgment on Plaintiff's foreclosure  
complaint (ECF No. 66) is DENIED.

  
ANNE E. THOMPSON, U.S.D.J.